IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

Summons for Judgment NO. 854 OF 2004
IN
Summary SUIT NO. 2581 OF 2003

Southern Asbestos Sales (Pty.) Ltd., ... Plaintiff
vs.
Rooft Industries Limited ... Defendants

Ajay Thomas i/b. V. Subramanian for Plaintiff
S. A. K. Najamrs Sani i/b. Maneksha & Sethna for defendants

CORAM: S. U. KAMDAR J.
Date: 28/9/2005

P.C.

1. Learned advocate for the defendants has tendered a notification dated 29th October 2004 declaring defendant company as a relief undertaking, under the Bombay Relief Undertakings (Special Provisions) Act, 1958. In view of the fact that the defendant company is declared as a relief undertaking Plaintiff seeks leave to withdraw the Summons for Judgment with liberty to take out a fresh Summons for Judgment after the period of relief undertaking is over.
2. Summons for Judgment is dismissed as withdrawn with the aforesaid liberty.
3. The defendants are further directed to inform the Plaintiff if fresh notification is issued after expiry of the present notification.

(S. U. KAMDAR J.)

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